

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3858-01  
Bill No.: HB 1609  
Subject: Entertainment, Sports, and Amusements; Liability; Water Resources and Water Districts  
Type: Original  
Date: March 12, 2002

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

**FISCAL ANALYSIS**

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### ASSUMPTION

Officials from the **Office of the Attorney General, Office of State Public Defender, and the Department of Public Safety – Missouri State Water Patrol** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of Prosecution Services** assume prosecutors could absorb the costs of the proposed legislation within existing resources.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

### FISCAL IMPACT - Small Business

The proposal fiscally impact small businesses, as it would exempt watercraft outfitters from liability in certain situations.

### DESCRIPTION

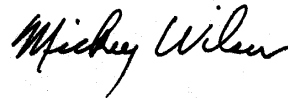
The proposed legislation would exempt watercraft outfitters from liability for the death or injury of paddlesport activity participants resulting from the inherent risk of such an activity unless the outfitter: (1) intentionally injures the participant; (2) commits an act of negligence which proximately causes the death or injury; (3) negligently provides an unsafe watercraft or equipment; or (4) fails to provide a life jacket. The proposal would require every outfitter to post a sign that states the outfitter will not be responsible for the death or injury of a participant resulting from the inherent risks or paddlesport activities. In addition, every contract entered into by an outfitter and a participant must contain the warning.

### DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. This legislation would not affect Total State Revenue.

SOURCES OF INFORMATION

Office of State Public Defender  
Office of Prosecution Services  
Office of State Courts Administrator  
Department of Public Safety  
– Missouri State Water Patrol  
Office of Attorney General



Mickey Wilson, CPA  
Acting Director

March 12, 2002